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MICHIGAN HOUSE OF REPRESENTATIVES

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To: House Committee on Judiciary
From: Representative Brandt Iden
Date: December 6, 2016
Re: Changes in HB 4520 (H-1)

Dear Chairman Kesto and Committee Members:

Thank you all for your time in consideration of HB 4520 (H-1). The following is a summary of the major changes to HB 4520 (H-1) from its original introduction:

- Expands the term "treat" or "treatment" to include "other methods common to the pest control industry," which grants pest control professionals the freedom to use national best practice standards when treating or controlling bedbugs.
- Expands notice to include either written or electronic notification to the landlord about the presence of bedbugs. This allows tenants the ability to alert a landlord to a bedbug infestation via electronic communication.
- Changes landlord liability from "gross negligence" to ordinary "negligence" in the control of bedbugs. Gross negligence is a high legal standard to prove; ordinary negligence is more appropriate given the varying degree of treatment methods.
- Allows the court to use its own discretion when determining infestation liability. Due to the complicated nature of bedbug infestations, it is difficult to enumerate all possible factors a court should use to determine liability. Therefore, this change grants the court the discretion to view all evidence in a given case.
- Permits a landlord to utilize a tenant's security deposit towards bedbug control and/or treatment upon termination of tenancy.

Thank you again for your time and I appreciate your consideration.

Sincerely,

Representative Brandt Iden
61st District